IN THE UNITED STATES DISTRICT COURT FOR THE

DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, Plaintiff,	)	8:09CR457
v.	)	
SHANNON WILLIAMS, Defendant.	)	ORDER

This matter is before the Court upon defendant's motion for discovery deposition (Filing No. 1058) and the government's motion to reconsider (Filing No. 1102). Defendant seeks to take a discovery deposition of Detective Bruck of the Omaha Police Division prior to defendant's October 24, 2011, forfeiture trial. Previously, in an order dated October 4, 2011, the Court gave defendant until October 12, 2011, to set forth the reasons he wishes to take Detective Dave Bruck's deposition, what information he believes he can obtain from Detective Bruck, and how that information is relevant to the proceedings presently pending before the Court as to defendant Shannon Williams.

Prior to this October 12, 2011, deadline, on October 11, 2011, the Court held a hearing on this issue (and several other issues). At the hearing, the Court granted defendant's request to take a discovery deposition of Detective Bruck. Subsequently, on October 13, 2011, the government filed a motion to reconsider, asking the Court to reconsider this directive made during the hearing of October 11, 2011, that Detective Bruck submit to an evidentiary deposition prior to trial on October 24, 2011.

The remaining forfeiture allegation count of the superseding indictment (Filing No. 360) has been dismissed without prejudice. Thus, defendant's motion for a discovery deposition and the government's motion to reconsider are now moot.

IT IS ORDERED:

1) Defendant's motion for discovery deposition (Filing No. 1058) is denied as moot.

2) The government's motion to reconsider (Filing No. 1102) is denied as moot.

DATED this 26th day of October, 2011.

BY THE COURT:

/s/ Lyle E. Strom
____
LYLE E. STROM, Senior Judge
United States District Court